IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY (Newark)

CLARA G. ROSA, Individually, and on behalf of all other similarly situated, Plaintiff vs. **PRESSLER & PRESSLER, LLP, and NEW CENTURY FINANCIAL SERVICES, INC.** Defendants	**Civil Action No.: 2:16-cv-5570** **NOTICE OF REMOVAL**

TO THE CLERK OF THE COURT:

PLEASE TAKE NOTICE that Defendants Pressler and Pressler, LLP (hereinafter "Pressler") and New Century Financial Services, Inc. ("NCFSI"), by and through their undersigned counsel, respectfully notifies this Court of the removal of the above-captioned matter from the Superior Court of New Jersey, Law Division, Bergen County to the United States District Court for the District of New Jersey as follows:

1. This action was commenced in the Superior Court of New Jersey, Law Division, Bergen County, by the filing of a Complaint on or about July 12, 2016, titled *Clara G. Rosa, Individually, and on behalf of all other similarly situated persons v. Pressler & Pressler, LLP, and New Century Financial Services, Inc.*, Docket Number BER-L-005442-16 (hereinafter "the State Court Action"). A true and accurate copy of the Summons, Track Assignment Notice, and Complaint are annexed hereto as one **Exhibit A** pursuant to 28 U.S.C. §

1446(a). Defendants are in receipt of a First Amended Complaint filed by Plaintiff in the State Court Action. A true and accurate copy of the First Amended Complaint ("FAC") is annexed hereto as **Exhibit B**.

2. Pressler received notice of the filing of the summons and complaint on August 15, 2016.

3. NCFSI received notice of the filing of the summons and complaint on August 15, 2016.

4. Plaintiff brought this action for alleged violations by Pressler and NCFSI of the Fair Debt Collection Practices Act, Section 1692 *et seq.*, of Title 15 of the United States Code (See FAC, ¶ 1). As such, this is a claim over which the District Court has jurisdiction based on a federal question pursuant to 28 U.S.C. § 1331; thus, same is removable to the District Court of New Jersey under 28 U.S.C. § 1441. Plaintiff also seeks relief under the Truth in Consumer Contract Warranty and Notice Act ("TCCWNA"). (See FAC, Count II ¶¶ 48-54). The TCCWNA claim is so related to the claims under the Fair Debt Collection Practices Act that they form part of the same case or controversy under Article III of the United States Constitution, and, therefore, this Court has supplemental jurisdiction over those state-law claims under 28 U.S.C. § 1367(a).

5. Pressler and NCFSI have timely filed the instant Notice of Removal within thirty days after receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief. Therefore, pursuant to 28 U.S.C. § 1446(b), the instant Notice of Removal is timely.

6. Pressler and NCFSI will give written notice of the filing of this Notice of Removal to all adverse parties, as required by 28 U.S.C. 1446(d).

7. Pressler and NCFSI will file a true and accurate copy of this Notice of Removal with the Clerk of the Superior Court of New Jersey, Law Division, Morris County, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Pressler and NCFSI respectfully request that the aforementioned State Court Action, now pending in the Superior Court of New Jersey, Law Division, Bergen County, be removed to the United States District Court for the District of New Jersey.

Respectfully submitted,
PRESSLER & PRESSLER, LLP

Dated: September 14, 2016 By: /s/ Michael J. Peters

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